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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,691	10/05/2000	David P Ferguson	10004941-1	9007

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/679,691	Applicant(s) FERGUSON ET AL.	
	Examiner Hussein A El-chanti	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to RCE received on August 12, 2004. Claims 1-34 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansen et al., U.S. Patent No. 6,442,144 (referred to hereafter as Hansen).

As to claims 1, 11, 21 and 31, Hansen teaches a method and system for detecting devices connected to a network comprising:

sending a scan request to a remote command process running on a remote network host (see col. 2 lines 47-67);

scanning the network host with the remote command process to identify devices are connected to the host (see col. 4 lines 5-67); and

receiving a response to the scan request from the remote command process that indicates whether a device is connected to the network host (see col. 4 lines 5-67).

As to claim 2, 12 and 22, Hansen teaches the method of claim 1 wherein a controller process is used to send the scan request to the remote command process (see col. 4 lines 15-34).

As to claim 3, 13 and 23, Hansen teaches the method of claim 2 wherein the controller process runs on a network host (see col. 4 lines 15-34).

As to claim 4, 14 and 24, Hansen teaches the method of claim 1 wherein scanning the network host with the remote command process comprises sending a scan request from the remote command process to a host application program interface (see col. 4 lines 5-67).

As to claims 5, 15, and 25 Hansen teaches receiving device addresses from the application program interface (see col. 4 lines 15-45).

As to claim 6, 16 and 26, Hansen teaches the method of claim 1 further comprising maintaining an updated list of each network host running a remote command process with a host lookup process (see col. 4 lines 36-67).

As to claim 7, 17 and 27, Hansen teaches the method of claim 6 further comprising consulting the list prior to sending the scan request (see col. 3 lines 30-67).

As to claim 8, 18 and 28, Hansen teaches the method of claim 1 further comprising sending multiple scan requests to multiple remote command processes stored on network hosts (see col. 4 lines 16-67).

As to claim 9, 19 and 29, Hansen teaches the method of claim 8 wherein the scan requests are sent in parallel (see col. 4 lines 16-67).

As to claim 10, 20 and 30, Hansen teaches the method of claim 1 further comprising communicating information concerning the detected devices to a user (see col. 4 lines 40-55).

As to claim 32, Hansen teaches the system of claim 31 further comprising a host lookup that maintains an updated list of every network host that is running a remote command process (see col. 4 lines 16-67).

As to claim 33, Hansen teaches the system of claim 32 wherein the host lookup process runs on the first network host (see col. 4 lines 16-67).

As to claim 34, Hansen teaches the system of claim 32 wherein the host lookup process runs on a third network host (see col. 4 lines 16-67).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- IP Discovery Apparatus And Method by Nelson et al., U.S. Patent No. 5,835,720
- Network Configuration And Management For Dynamic Networks And Methods Thereof by Merriam, U.S. Patent No. 6,795,846
- Automatic Discovery Of Switch Devices In A Network by Gundavelli, U.S. patent No. 6,795,403

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.


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4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

Oct. 12, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100